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| EXAMINER | |
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| CHOI, PETER H | |
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 10/025,121 | MURATA ET AL. | |
| | Examiner | Art Unit | |
| | PETER CHOI | 3623 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *12 January 2009*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1,3,9,12 and 14-16* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,3,9,12 and 14-16* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

## DETAILED ACTION

***1.*** The following is a **FINAL** office action upon examination of application number 10/025,121. Currently, claims 1, 3, 9, 12 and 14-16 are pending.

### *Response to Amendment*

***2.*** In the response filed January 19, 2009, Applicant has amended claim 1, and did not add any additional claims, nor cancel any claims.

### *Response to Arguments*

3. Applicant's arguments filed January 19, 2009 have been fully considered but they are not persuasive.

Applicant argues that Stevens does not teach or suggest obtaining work IDs, collecting information about resources for same stage work, and calculating a progress degree of a compound work using the above collected information.

The Examiner respectfully disagrees. The Examiner notes that Stevens was not asserted as having taught or suggested obtaining work IDs or calculating a progress degree of a compound work based on progress degree ***AND*** manpower. Rather, the step of storing and collecting work IDs was asserted as having been taught by PMBOK in limitations (c), and (e). Stevens was cited as having taught the step of calculating progress degree and collecting manpower information, but PMBOK was cited as having

taught the step of calculating progress based on progress degree and manpower in limitation (f).

Furthermore, in response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., collecting information about resources for same stage work) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). The claimed invention recites the steps of retrieving work IDs, master work IDs, manpower and progress degree of tasks of a same stage, but does not collect ***resource*** information.

Further, the Gantt and PERT charts taught by Stevens display progress of projects and tasks (i.e., progress degree). Stevens also specifies the resources, people (i.e., manpower) or materials, needed for each task in a project, as well as specifying task dependency (i.e., establishing different "stages"), thereby establishing task stages and resources required in each stage.

Applicant argues that Stevens does not teach or suggest storing work IDs, work stage numbers, and work IDs having the same uppermost master work IDs.

The Examiner respectfully disagrees. The Examiner notes that Stevens was not asserted as having taught the step of storing work IDs in limitation (c). Rather, the step of storing and collecting work IDs was asserted as having been taught by PMBOK in limitations (c) and (e). Stevens teaches the ability to allow users to input and organize (i.e., store) tasks into different levels (i.e., stages) of a work breakdown structure. The Examiner asserts that the hierarchical abstraction of tasks/substasks into different levels, as taught by Stevens, is equivalent to the claimed work stage numbers.

### *Official Notice*

4. In the previous Office Action mailed July 10, 2008, notice was taken by the Examiner that certain subject matter is old and well known in the art. Per MPEP 2144.03(c), these statements are taken as admitted prior art because no traversal of this statement was made in the subsequent response. Specifically, it has been taken as prior art that:

- providing an aggregate measure for a plurality of related measures (i.e., subtasks belonging to the same task/project, different measures/metrics used in evaluation) is a concept that is old and well known in the art
- the use of arithmetic to yield total (aggregate/composite) or average values is notoriously old and well known in the art.

### *Claim Rejections - 35 USC § 101*

5. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6. Claims 1, 3, 12 and 15 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 1, 3, 12 and 15 are rejected under 35 U.S.C. 101 based on Supreme Court precedent, and recent Federal Circuit decisions, the Office's guidance to examiners is that a § 101 process must (1) be tied to a particular machine or apparatus or (2) transform underlying subject matter (such as an article or materials) to a different state or thing. Diamond v. Diehr, 450 U.S. 175, 184 (1981); Parker v. Flook, 437 U.S. 584, 588 n.9 (1978); Gottschalk v. Benson, 409 U.S. 63, 70 (1972); Cochrane v. Deener, 94 U.S. 780,787-88 (1876). If neither of these requirements is met by the claim, the method is not a patent eligible process under 35 U.S.C. 101 and is non-statutory subject matter.

An example of a method claim that would not qualify as a statutory process would be a claim that recited purely mental steps. Thus, to qualify as a § 101 statutory process, the claim should positively recite the other statutory class (the thing or product) to which it is tied, for example by identifying the apparatus that accomplishes the method steps, or positively recite the subject matter that is being transformed, for example by identifying the material that is being changed to a different state. Nominal recitations of structure in an otherwise ineligible method fail to make the method a statutory process. The use of a specific machine or transformation of an article must

impose meaningful limits on the claim's scope to impart patent-eligibility. See Benson, 409 U.S at 71-72. Further, the involvement of the machine or transformation in the claimed process must not merely be insignificant extra-solution activity. See Flook, 437 U.S at 590. Incidental physical limitations, such as data gathering, field of use limitations, and extra-solution activity is not enough to convert an abstract idea into a statutory process. In other words, nominal or token recitations of structure in a method claim do not convert an otherwise ineligible claim into an eligible one.

Here, applicant's method steps, fail the first prong of the new Federal Circuit decision since they are not tied to another statutory class and can be performed without the use of a particular apparatus. Although claim 1 recites a computer having a processor and a data storage device in the preamble, the preamble is not accorded patentable weight. A preamble is generally not accorded any patentable weight where it merely recites the purpose of a process or the intended use of a structure, and where the body of the claim does not depend on the preamble for completeness but, instead, the process steps or structural limitations are able to stand alone. See *In re Hirao*, 535 F.2d 67, 190 USPQ 15 (CCPA 1976) and *Kropa v. Robie*, 187 F.2d 150, 152, 88 USPQ 478, 481 (CCPA 1951).

Further, although claim 1 also recites the step of preparing, "with" the processor, a work definition table, "on" the data storage device, this is not deemed to provide the necessary recitation of a particular machine. "On the data storage device" is akin to

storing data (i.e., a work definition table) in a database, which, as noted above, is nominal extra-solution activity and does not render the claimed process statutory. Similarly, although the work definition table is cited as being prepared "with" the claimed processor, this is not deemed to impose meaningful limits on the claim's scope as needed to impart patent-eligibility. Using the broadest reasonable interpretation of this limitation, a human user may prepare a work definition table and simply use a processor to enter the results into a computer file for storage in memory or on a database, thereby providing a work definition table that is prepared "with" a processor. In this instance, the claimed processor did not pose a meaningful limit on the scope of the claims, rendering the claimed process non-statutory.

Dependent claims 3, 12 and 15 merely add further details of the hierarchical project management process recited in claim 1 without including any tie to another statutory category nor any transformation of subject matter into a different state or thing; thus, claims 1, 3, 12 and 15 are non-statutory

### *Claim Rejections - 35 USC § 103*

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

9. Claims 1-3, 9, 12 and 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Larry Steven's "Simplifying Complex Project Management: Complex Projects at US West Benefit from AutoPlan II Project Management Software" (previously supplied, herein referred to as **Stevens**), in view of the Project Management Institute's "A Guide to the Project Management Body of Knowledge" (previously supplied, hereinafter referred to as **PMBOK**) in view of **Chiles et al.** (US Patent #6,748,582).

As per claim 1, Stevens teaches a method of managing a hierarchically structured project on a computer having a processor and a data storage device, comprising the steps of:

(a) defining projects composing the hierarchical structure **(You can input up to 10,000 tasks or milestones, broken down into 128 levels of resources and/or**

**subprojects. The project elements can be organized into 12 levels of work breakdown structures, which provide a hierarchy of tasks)** [Paragraph 10];

(b) selecting works by a user from works which compose an upper project and copying the selected works to define which works compose the project **(You can input up to 10,000 tasks or milestones, broken down into 128 levels of resources and/or subprojects. The project elements can be organized into 12 levels of work breakdown structures, which provide a hierarchy of tasks) {Thus, the upper project (the 12 levels of work breakdown structures) organizes 10,000 tasks or milestones into 128 levels of resources (i.e., subprojects), thereby copying selected subproject contents that are defined based on the works of an upper projects}** [Paragraph 10];

(c) storing, with the processor, on the data storage device **{the last page of Stevens indicates that AutoPlan II runs on Sun Microsystems, Hewlett-Packard, and IBM workstations, and can also run on Windows and used with Microsoft Project, Oracle or Sybase database management systems}**, manpower for the work **(Required resources (people or material), as well as time limitations, can be specified for each task in a project)** [paragraph 11], and progress degree of the work **(AutoPlan II generates reports, such as the percentage of the project (or sub-project) completed)** [Paragraph 18]

(d) defining, in a work relation definition table, relationships among respective work IDs of said project, respective master work IDs, and respective uppermost work IDs, the master work ID being assigned for the same work in the upper project, and the

uppermost work ID being assigned for the same work in the uppermost project **(Using the graphical interface [of AutoPlan II], tasks or entire projects can be linked together. Consequently, it is possible to specify that one task can't begin until either one of two other tasks is completed)** [Paragraph 11];

(f) collecting progress degrees of the work IDs of the same stage and having the same uppermost master work ID, and calculating the progress degree of a compound work using the collected progress degrees **(Required resources (people or material), as well as time limitations, can be specified for each task in a project; PERT charts display tasks with information about resources or start and finish dates and show the relationships among tasks and between tasks and milestones; Gantt charts graphically show the planned chronology of a project)** [Paragraphs 11, 14, 15];

(g) storing into a compound Work Breakdown structure (WBS) definition table the uppermost master work ID, a work stage number, the work IDs having the same uppermost master work ID, the projects to which the works belong **(AutoPlan II allowed input of up to 10,000 tasks or milestones, broken down into 128 levels of resources and/or subprojects. The project elements can be organized into 12 levels of work breakdown structures (WBS), which provide a hierarchy of tasks; Using the graphical interface [of AutoPlan II], tasks or entire projects can be linked together. Consequently, it is possible to specify that one task can't begin until either one of two other tasks is completed; PERT charts display tasks with information about resources or start and finish dates and show the relationship**

**among tasks and between tasks and milestones) {the WBS stores the organization of tasks, resources and subprojects and their relationships, the tasks displayed within the same PERT chart are directed towards a common, single project}** [Paragraphs 10, 11, 14] and the calculated progress degree **(The reports [generated by AutoPlan II] most often selected by US West developers are.. percentage of the project (or sub-project) completed)** [Paragraph 18], wherein

(1) when any work ID in a lower stage can be obtained, the uppermost master ID obtaining step, the man powers and progress degrees collecting step, the compound work progress degree calculating step, and the compound WBS definition table storing step for the work IDs of the same stage are repeated for the obtained work ID in the lower stage **{presumably the generation of the WBS structure, PERT and Gantt charts are repeated for each distinct project/subproject}**; and

(i) referring to the compound WBS definition table and displaying the calculated attribute values of said compound work **(PERT charts display tasks with information about resources or start and finish dates and show the relationships among tasks and between tasks and milestones; Gantt charts graphically show the planned chronology of a project; AutoPlan II generates reports, such as the plan-versus-actual dates and costs, and percentage of the project (or sub-project) completed)** [Paragraphs 14, 15, 18].

Although not explicitly taught by Stevens, PMBOK teaches

(c) preparing a work definition table which stores a work ID serially assigned for each of the works composing the project, the project to which the work belongs, the upper work ID of the work **(Each item in the WBS is generally assigned a unique identifier; these identifiers can provide a structure for a hierarchical summation of costs and resources; WBS component descriptions are often collected in a WBS dictionary. A WBS dictionary will typically include work package descriptions, as well as other planning information... Contractual WB, Organizational breakdown structure, Resource breakdown structure, Project breakdown structure)** [Section 5.3.3.1, pages 60-61], manpower for the work **(The output of the resource planning process is a description of what types of resources are required and in what quantities for each element at the lowest level of the WBS. Resource requirements for higher levels within the WBS can be calculated based on the lower level values; Inputs to Cost Estimating include Resource requirements, Resource rates, Activity duration estimates)** [Section 7.1.3.1, page 86, Section 7.2.1, page 87], and progress degree of the work **(The project schedule may be presented using Project network diagrams with date information added. These charts usually show both the project logic and the project's critical path activities. Bar charts, also called Gantt charts, show activity start and end dates, as well as expected durations, and sometimes show dependencies) {thus, identifying the project's critical path activities, and the expected duration of each activity, the time required to complete a (sub)project**

**can be calculated by aggregating the time required to complete each activity comprising the (sub)project}** [Section 6.4.3.1, Pages 77-78]; and

(e) referring to the work definition table, and collecting the work IDs of a same stage from the work IDs in the projects selected by the user **(The activities should have a coding structure that will allow sorting and/or extractions based on different attributes assigned to the activities, such as... project phase... activity type, and WBS classification; The project schedule may be presented using Project network diagrams with date information added. These charts usually show both the project logic and the project's critical path activities….Bar charts, also called Gantt charts, show activity start and end dates, as well as expected durations, and sometimes show dependencies)** [Sections 6.4.2.6 and 6.4.3.1, Pages 77-78];

(f) referring to the work relation definition table, collecting the man powers of the work IDs of the same stage and having the same uppermost master work ID **(The output of the resource planning process is a description of what types of resources are required and in what quantities for each element at the lowest level of the WBS. Resource requirements for higher levels within the WBS can be calculated based on the lower level values; Inputs to Cost Estimating include Resource requirements, Resource rates, Activity duration estimates)** [Section 7.1.3.1, page 86, Section 7.2.1, page 87], and calculating the progress degree of a compound work using the collected man powers and progress degrees **(The project schedule may be presented using Project network diagrams with date information**

**added. These charts usually show both the project logic and the project's critical path activities. Bar charts, also called Gantt charts, show activity start and end dates, as well as expected durations, and sometimes show dependencies) {thus, identifying the project's critical path activities, and the expected duration of each activity, the time required to complete a (sub)project can be calculated by aggregating the time required to complete each activity comprising the (sub)project} {Resource Requirements and Resource capabilities are listed as inputs in Activity Duration Estimating, Section 6.3.1.4, pages 71-72}** [Section 6.4.3.1, Pages 77-78].

Both Stevens and PMBOK are directed towards using the Work Breakdown Structure concept in project management. Thus, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the teachings of Stevens to include the step of assigning an ID code to each work of a project, along with attribute values of each of said works to calculate attribute values of a compound work, and storing manpower for the work, because doing so enhances the teachings of Stevens by providing a uniform structure for cost control and reporting in estimating and accounting for the costs of works of a project, providing a basis in comparing the cost of similar work in different projects or at different locations, or to be used as a benchmark when estimating the incurred costs of similar projects, and also to derive the total costs/time requirements of a compound work by cumulatively adding the costs/time requirements of the components that make up said compound work in light of available

and required resources including manpower, to be used in project/resource/cost management and planning when developing project cost budgets baseline estimates to measure and monitor timely and efficient execution of the project, including cost performance, as is a goal of PMBOK [Sections 7.3.2.1-7.3.3.1, page 90].

The combined teachings of Stevens and PMBOK do not explicitly teach:

(i) calculating the progress degree of the compound work further includes the substeps of:

(1) multiplying the man power by the progress degree for the works of the same stage and having the same uppermost master work ID and summing the multiplication results to obtain a work amount of the compound work; and

(2) dividing the obtained work amount by a sum of the manpower for the works of the same stage and having the same uppermost master work ID to obtain the progress degree of the compound work.

However, Official Notice that providing an aggregate measure for a plurality of related measures (i.e., subtasks belonging to the same task/project, different measures/metrics used in evaluation) is a concept that is old and well known in the art. Similarly, Official Notice is taken that the use of arithmetic to yield total (aggregate/composite) or average values is notoriously old and well known in the art.

One of ordinary skill in the art would have recognized that applying the technique of providing aggregate measures, and applying arithmetic to derive average and total quantities would have yielded predictable results and resulted in an improved system. It would have been recognized that applying the techniques of providing aggregate measures and applying arithmetic to derive average and total quantities to the combined teachings of Stevens and PMBOK would have yielded predictable results because the level of ordinary skill in the art demonstrated by the references applied shows the ability to compute the percentage of the project completed, as stated by Stevens [Paragraph 18], as well as aggregating resource requirements for a higher level based on lower level values and needs, as discussed by PMBOK [Section 7.1.3.1, page 86]. Further, applying the technique of providing aggregate measures, and applying arithmetic to derive average and total quantities to the combined teachings of Stevens and PMBOK would have been recognized by those of ordinary skill in the art as resulting in an improved system that would further enhance the project completion percentage reports of Stevens by summarizing the quantifiable progress made in a single project (or subproject) by summing up the progress of all tasks (or subtasks) related to said project (or subproject).

The combined teachings of Stevens and PMBOK do not explicitly teach the step of:

(h) comparing each record of the compound WBS definition table with a condition specified for the progress degree of the compound work and deleting the record which does not satisfy the condition

However, Chiles et al. teaches a project management system that filters out (i.e., deleting) tasks that do not satisfy a specific condition **(Tasks can be filtered so that only tasks meeting specified criteria, e.g., unfinished tasks, appear in the task list window 400. Filtering allows the developer to focus attention on particular tasks of interest. Tasks can be filtered on other criteria, such as category and file… In addition, the tasks can be sorted on the filtering criteria..... As task contributors add more items to the task list, the newly added items are sorted into the current display of task items, provided that they satisfy the current filtering criteria. If the current filtering criteria are not satisfied, a message box appears to indicate that the newly added task will not appear in the list based on the current filtering criteria… the developer can delete tasks or check them to mark them as complete… For some task contributors, however, checking a task as done is equivalent to deleting it)** [Column 9, line 45 – Column 10, line 24].

Both Stevens and PMBOK are directed towards project management. Similarly, Chiles et al. is directed towards task management for a project. Therefore, Stevens, PMBOK and Chiles et al. are deemed to be analogous references in the endeavor of managing the tasks of a project. Thus, it would have been obvious to one of ordinary

skill in the art at the time of invention to modify the combined teachings of Stevens and PMBOK to filter and delete works whose progress degree is 0% or 100%, because tracking only the progress of work currently being performed streamlines the information provided in the Gantt, PERT, milestone charts and critical path activity charts taught by PMBOK and Stevens, enabling greater comprehensive of overall progress of current activities.

As per claim 3, Stevens teaches a project management method as claimed in claim 1 further comprising the steps of:

(a) setting a relation between the project and other accessible project **(PERT charts display tasks with information about resources or start and finish dates and show the relationships among tasks and between tasks and milestones) {where the "tasks" are distinct subprojects of a common project}** [Paragraph 14] and a relation between the project and an accessible document **(The first step in using AutoPlan II… is to create the project chart. The project leader, with help from members of the team, uses the graphical interface to specify the needed resources, tasks, and time constraints; Project administrators, testers, configuration managers, and release managers all do a portion of the work…. Now that the program is easily accessible from anyone's workstation, it's much less difficult for team members to enter project data)** [Paragraphs 13, 19]; and

(b) displaying information of the other project and the document, which are set accessible for a user belonging to the project **(The reports can be displayed in**

**tabular or graphical format; Langan set up passwords by user identification, specifying which users can make changes and which can merely create reports and view the project charts)** [Paragraphs 18, 20].

Claim 9 recites limitations substantially similar to those already addressed by the rejection of claim 1 above; therefore, the same rejection applies.

As per claim 12, although not explicitly taught by Stevens, PMBOK teaches a project management method as claimed in claim 1, wherein a document is registered for each of the works **(In the Activity Definition process in developing the project time schedule, the WBS is used as an input, and as an output, an activity list is produced that includes all activities that will be performed on the project, including descriptions of each activity)** [Sections 6.1.1.1, 6.1.3.1Pages 67-68] and the method further comprises the step of collecting document registration information of the work having the same uppermost work ID **(Other "breakdown" structures used to present project information include Organizational breakdown structure (OBS), which is used to show which work components have been assigned to which organizational units, and Resource breakdown structure (RBS), which is a variation of the OBS and is typically used when work components are assigned to individuals)** [Section 5.3.3.1, Page 61].

Both Stevens and PMBOK are directed towards using the Work Breakdown Structure concept in project management. Thus, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the teachings of Stevens to include the step of registering a document and document registration information for all the works of a project, because doing so enhances the teachings of Stevens by establishing the resources and person(s) responsible/needed for each work component, further providing accountability for cost, performance, and adherence to schedules.

Claim 14 recites limitations already addressed by the rejection of claim 12 above; therefore, the same rejection applies.

As per claim 15, although not explicitly taught by Stevens or PMBOK, Chiles et al. teaches a project management system as claimed in claim 1, wherein when the condition specified for the progress degree is “work is in progress”, the record of the uppermost master work ID which progress degree is 0% or 100% is deleted from the compound WBS definition table **(Tasks can be filtered so that only tasks meeting specified criteria, e.g., unfinished tasks, appear in the task list window 400. Filtering allows the developer to focus attention on particular tasks of interest. Tasks can be filtered on other criteria, such as category and file… In addition, the tasks can be sorted on the filtering criteria..... As task contributors add more items to the task list, the newly added items are sorted into the current display of task items, provided that they satisfy the current filtering criteria. If the current**

**filtering criteria are not satisfied, a message box appears to indicate that the newly added task will not appear in the list based on the current filtering criteria… the developer can delete tasks or check them to mark them as complete… For some task contributors, however, checking a task as done is equivalent to deleting it)** [Column 9, line 45 – Column 10, line 24].

Both Stevens and PMBOK are directed towards project management. Similarly, Chiles et al. is directed towards task management for a project. Therefore, Stevens, PMBOK and Chiles et al. are deemed to be analogous references in the endeavor of managing the tasks of a project. Thus, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the combined teachings of Stevens and PMBOK to filter and delete works whose progress degree is 0% or 100%, because tracking only the progress of work currently being performed streamlines the information provided in the Gantt, PERT, milestone charts and critical path activity charts taught by PMBOK and Stevens, enabling greater comprehensive of overall progress of current activities.

Claim 16 recites limitations already addressed by the rejection of claim 15 above; therefore, the same rejection applies.

***Conclusion***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Goossens et al. (US Patent #6,356,880) teaches a hierarchical structure including a top-level project and a plurality of tasks hierarchically associated therewith. Each task may include other tasks associated therewith, located at hierarchically lower levels (in a parent-child relationship). Each task may potentially be associated with both lower level and higher level tasks. Project and Task fields specify an identifier of the project and tasks, such as operation and departmental codes.

Kaufer et al. (US Patent #6,519,763) teaches a task table that stores information about each task, including the level in the hierarchy, task ID, task start, task end, task duration, task status ID, task actual start, task actual end, task actual duration, task progress, task milestone type ID, "task is" summary, and "task is" critical. The task_id field is a unique identifier for each task within a given schedule. task_progress field stores a percentage indicating how much of the task has been completed so far.

Wood (US Patent #5,381,332) teaches a work breakdown structure with different codes, work unit hierarchy levels, and work breakdown structure identifiers. The work breakdown structure also includes data on the percent complete, milestone weight, manager's identifier, performing department identifier, responsible department identifier, time line percent complete, and resources planned and remaining.

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PETER CHOI whose telephone number is (571)272-6971. The examiner can normally be reached on M-F 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Beth Boswell can be reached on (571) 272-6737. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

April 22, 2009

/P. C./
Examiner, Art Unit 3623

/Jonathan G. Sterrett/
Primary Examiner, Art Unit 3623